

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Action No. 05-10917 PBS

The HipSaver Company, Inc.,
Plaintiff,

v

J.T. Posey Company,
Defendant

J.T. Posey Company, Inc.,
Counterclaim Plaintiff

v

The HipSaver Company, Inc. and
Edward L. Goodwin,
Counterclaim Defendants

**PLAINTIFF'S MOTION FOR LEAVE TO FILE A REPLY
IN FURTHER SUPPORT OF ITS
MOTION TO EXTEND DISCOVERY**

Pursuant to Local Rule 7.1(B)(3), HipSaver moves for leave to file a short reply further supporting its Motion to Extend Discovery and correcting material mischaracterizations made by Defendant Posey, in its opposing memorandum (filed March 24, 2005). HipSaver believes that the proposed reply, attached as Exhibit A, will aid the Court in its determination of HipSaver's Motion to Extend Discovery. Therefore, HipSaver respectfully requests leave of this Court to file the attached reply brief.

CERTIFICATION UNDER LOCAL RULES 7.1 AND 37.1

I certify that counsel for the parties have conferred by electronic mail and by telephone on March 29, 2006 in a good faith attempt to resolve or narrow issues set out in this Motion but were unable to do so.

Respectfully submitted,
THE HIPSAVER COMPANY, INC.
By its Attorneys,

/s/ Edward J. Dailey
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Dated: March 29, 2006

CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 29, 2006.

/s/Edward J. Dailey
Edward J. Dailey